



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vincent P. Stanton, Jr. Art Unit :
Serial No. : 09/963,333 Examiner :
Filed : September 24, 2001
Title : THYMIDYLATE SYNTHASE GENE SEQUENCE VARIANCES HAVING
UTILITY IN DETERMINING THE TREATMENT OF DISEASE

Commissioner for Patents
Washington, D.C. 20231

DECLARATION REGARDING INCORPORATION BY REFERENCE

Applicant hereby declares that the Sequence Listing appended hereto consists of the same sequence information incorporated by reference in the application by reference to the GenBank® Identifier for each sequence.

The sequence of SEQ ID NO:1 in the appended Sequence Listing is the same as that associated with GenBank® Accession Number X02308 on July 20, 1998, the filing date of U.S. Serial No. 60/093,484, from which the present application claims priority. This particular version of GenBank® Accession Number X02308 is assigned to the version identifier GI:37478. Appendix D attached hereto is a printout from the GenBank® database of GenBank® Accession Number X02308 [GI:37478]. According to the GenBank® database, this sequence has not been updated since April 21, 1993.

The sequence of SEQ ID NO:2 in the appended Sequence Listing is the same as that associated with GenBank® Accession Number D00517 on July 20, 1998, the filing date of U.S. Serial No. 60/093,484, from which the present application claims priority. This particular version of GenBank® Accession Number D00517 is assigned to the version identifier GI:220133. Appendix E attached hereto is a printout from the GenBank® database of

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Attorney's Docket No.: 11926-015002

GenBank® Accession Number D00517 [GI: 220133]. According to the GenBank® database, this sequence has not been updated since April 29, 1993.

The sequence of SEQ ID NO:3 in the appended Sequence Listing is the same as that associated with GenBank® Accession Number D00596 on July 20, 1998, the filing date of U.S. Serial No. 60/093,484, from which the present application claims priority. This particular version of GenBank® Accession Number D00596 is assigned to the version identifier GI: 220135. Appendix F attached hereto is a printout from the GenBank® database of GenBank® Accession Number D00596 [GI: 220135]. According to the GenBank® database, this sequence has not been updated since April 29, 1993.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

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20624272.doc

Appendix D for Declaration for U.S. Application No. 09/963,333



Entrez Nucleotide

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☐ 1: X02308. Human mRNA for th...[gi:37478]

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LOCUS HSTSYN1 1536 bp mRNA linear PRI 12-SEP-1993
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 VERSION X02308.1 GI:37478
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 ORGANISM Homo sapiens
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 Mammalia; Eutheria; Primates; Catarrhini; Hominidae; Homo.
 REFERENCE 1 (bases 1 to 1536)
 AUTHORS Takeishi, K., Kaneda, S., Ayusawa, D., Shimizu, K., Gotoh, O. and Seno, T.
 TITLE Nucleotide sequence of a functional cDNA for human thymidylate synthase
 JOURNAL Nucleic Acids Res. 13 (6), 2035-2043 (1985)
 MEDLINE 85215597
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 COMMENT Data kindly reviewed (22-OCT-1985) by Seno T.
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Appendix F for Declaration for U.S. Application No. 09/963,333



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1: D00596. Homo sapiens gene...[gi:220135]

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LOCUS HUMTS1 18596 bp DNA linear PRI 14-APR-2000
 DEFINITION Homo sapiens gene for thymidylate synthase, exons 1, 2, 3, 4, 5, 6, 7, complete cds.
 ACCESSION D00596
 VERSION D00596.1 GI:220135
 KEYWORDS thymidylate syntase.
 SOURCE Homo sapiens (human)
 ORGANISM Homo sapiens
 Eukaryota; Metazoa; Chordata; Craniata; Vertebrata; Euteleostomi; Mammalia; Eutheria; Primates; Catarrhini; Hominidae; Homo.
 REFERENCE 1 (bases 1 to 18596)
 AUTHORS Kaneda,S., Nalbantoglu,J., Takeishi,K., Shimizu,K., Gotoh,O., Seno,T. and Ayusawa,D.
 TITLE Structural and functional analysis of the human thymidylate synthase gene
 JOURNAL J. Biol. Chem. 265 (33), 20277-20284 (1990)
 MEDLINE 91056070
 PUBMED 2243092
 COMMENT These data kindly submitted in computer readable form by: Sumiko Kaneda
 National Institute of Genetics
 1111 Yata
 Mishima 411
 Japan
 Phone: +81-559-72-2732
 Fax: +81-559-71-3651.
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Appendix E for Declaration for U.S. Application No. 09/963,333



Nucleotide

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Display Show: Send to

1: D00517. Homo sapiens gene...[gi:220133]

Links

LOCUS HUMTS 1186 bp DNA linear PRI 06-NOV-2001
 DEFINITION Homo sapiens gene for thymidylate synthase, exon 1, partial cds.
 ACCESSION D00517
 VERSION D00517.1 GI:220133
 KEYWORDS .
 SOURCE Homo sapiens (human)
 ORGANISM Homo sapiens
 Eukaryota; Metazoa; Chordata; Craniata; Vertebrata; Euteleostomi;
 Mammalia; Eutheria; Primates; Catarrhini; Hominidae; Homo.
 REFERENCE 1 (bases 1 to 1186)
 AUTHORS Takeishi,K., Kaneda,S., Ayusawa,D., Shimizu,K., Gotoh,O. and Seno,T.
 TITLE Human thymidylate synthase gene: isolation of phage clones which cover a functionally active gene and structural analysis of the region upstream from the translation initiation codon
 JOURNAL J. Biochem. 106 (4), 575-583 (1989)
 MEDLINE 90110051
 PUBMED 2532645
 COMMENT These data kindly submitted in computer readable form by: Keiichi Takeishi
 University of Shizuoka School of Food and Nutritional Sciences 395 Yada
 Shizuoka-shi,
 Shizuoka-ken 422
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 Phone: 0542-64-5540
 Fax: 0542-64-5099.
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Mar 17 2003 10:55:57